

# **EXHIBIT 4**

Waymo LLC v. Uber Technologies, Inc., et al., No. 3:17-cv-00939-WHA (N.D. Cal.)  
 Defendants' Privilege Log Associated with March 31, 2017 Production of Documents

INDEX NO.*,**	AUTHOR(S) OF DOCUMENT	RECIPIENT(S) OF DOCUMENT <sup>1</sup>	DATE OF DOCUMENT	SUBJECT MATTER	NATURE OF PRIVILEGE	LOCATION WHERE DOCUMENT WAS FOUND	BASIS FOR UBER'S ASSERTION OF PRIVILEGE	AFFIRMATION OF STEPS TAKEN TO ENSURE CONFIDENTIALITY AND NON-RECEIPT BY UNAUTHORIZED PERSONS
1	Stroz Friedberg, LLC	Morrison & Foerster LLP (outside counsel for Uber) O'Melveny & Myers LLP (outside counsel for Otto) Donahue Fitzgerald LLP (outside counsel for Levandowski) Levine & Baker LLP (outside counsel for Lior Ron)	August 5, 2016	Summary Report by Stroz Friedberg, LLC ("Investigation Report") Regarding Investigation Relating to Acquisition of Ottomotto by Uber (the "Due Diligence Investigation").	AC / WP/JI <sup>2</sup>	Uber In-House Counsel	Investigation report prepared at direction of counsel for Uber for purposes of providing legal advice to Uber, in anticipation of litigation, re: due diligence in connection with potential acquisition of Ottomotto.	Uber affirms that to its knowledge no unauthorized persons have received the Investigation Report. Specifically, to Uber's knowledge the only recipients of this document are the original recipients—those listed in the Recipient(s) column—and Uber's in-house counsel, Ottomotto's in-house counsel, and Outside Counsel of Record in this litigation. Pursuant to a common interest agreement dated April 11, 2016 and entered into by counsel for Uber, counsel for Ottomotto, counsel for A. Levandowski, and counsel for Lior Ron, the recipients of the Investigation Report (including its attachments) were contractually obligated to not disclose it to any other persons except for in-house counsel for Uber, in-house counsel for Ottomotto, outside counsel for those entities, outside counsel for A. Levandowski, and outside counsel for Lior Ron.
2	Stroz Friedberg, LLC	Morrison & Foerster LLP (outside counsel for Uber) O'Melveny & Myers LLP (outside counsel for Otto) Donahue Fitzgerald LLP (outside counsel for Levandowski) Levine & Baker LLP (outside counsel for Lior Ron)	March 21, 2016	Attachment to Investigation Report. Memorandum regarding investigation protocol for the Due Diligence Investigation.	AC / WP/JI	Uber In-House Counsel	Attachment to Investigation Report. Memorandum prepared as part of investigation conducted at direction of counsel for Uber for purposes of providing legal advice to Uber, in anticipation of litigation, re: due diligence in connection with potential acquisition of Ottomotto.	[same as Index No. 1]

<sup>1</sup> Individuals from each entity identified as an author or recipient are listed on page 17, as are recipients from Uber and Otto.

<sup>2</sup> The invocation of the privileges on this log are pursuant to the "Joint Defense, Common Interest, and Confidentiality Agreement" filed with the Court with Anthony Levandowski's motion, filed on April 4, 2017.

\*With respect to memoranda/reports marked with a single asterisk, the reports themselves (which, on their own, constitute work product) are undated. The date of the report/memorandum listed in this log is the date of the Investigation Report.

\*\*With respect to documents marked with two asterisks, the date of the document in this log is listed as the date of the Investigation Report, as it is the selection for and inclusion in that report that forms the basis for the assertion of work product privilege. The author of these documents is listed as Stroz Friedberg, LLC because it is the entity who selected the documents for inclusion in the Investigation Report. The author of the underlying communication(s)/document(s) is not listed in this privilege log because doing so would reveal the work product over which privilege is being asserted.

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3	John Gardner, Donahue Fitzgerald LLP	Stroz Friedberg Morrison & Foerster LLP (outside counsel for Uber) O'Melveny & Myers LLP (outside counsel for Otto) Levine & Baker LLP (outside counsel for Lior Ron)	March 21, 2016	Correspondence between Stroz Friedberg, LLC and attorney for A. Levandowski regarding investigation protocol for the Due Diligence Investigation.	AC / WP/JI	Uber In-House Counsel	Attachment to Investigation Report. Correspondence relating to investigation conducted at direction of counsel for Uber for purposes of providing legal advice to Uber, in anticipation of litigation, re: due diligence in connection with potential acquisition of Ottomotto.	[same as Index No. 1]
4	Stroz Friedberg, LLC	Morrison & Foerster LLP (outside counsel for Uber) O'Melveny & Myers LLP (outside counsel for Otto) Donahue Fitzgerald LLP (outside counsel for Levandowski) Levine & Baker LLP (outside counsel for Lior Ron)	March 4, 2016	Correspondence regarding engagement of Stroz Friedberg, LLC for purposes of conducting the Due Diligence Investigation and memorandum regarding investigation protocol for the Due Diligence Investigation.	AC / WP/JI	Uber In-House Counsel	Attachment to Investigation Report. Correspondence relating to investigation conducted at direction of counsel for Uber for purposes of providing legal advice to Uber, in anticipation of litigation, re: due diligence in connection with potential acquisition of Ottomotto.	[same as Index No. 1]
5	Stroz Friedberg, LLC	Morrison & Foerster LLP (outside counsel for Uber) O'Melveny & Myers LLP (outside counsel for Otto) Donahue Fitzgerald LLP (outside counsel for Levandowski) Levine & Baker LLP (outside counsel for Lior Ron)	April 2, 2016	Memorandum regarding analysis of information ascertained from A. Levandowski during the Due Diligence Investigation.	AC / WP/JI	Uber In-House Counsel	Attachment to Investigation Report. Memorandum prepared as part of investigation conducted at direction of counsel for Uber for purposes of providing legal advice to Uber, in anticipation of litigation, re: due diligence in connection with potential acquisition of Ottomotto.	[same as Index No. 1]

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6	Stroz Friedberg, LLC	Morrison & Foerster LLP (outside counsel for Uber) O'Melveny & Myers LLP (outside counsel for Otto) Donahue Fitzgerald LLP (outside counsel for Levandowski) Levine & Baker LLP (outside counsel for Lior Ron)	April 12, 2016	Memorandum regarding analysis of information ascertained from L. Ron during Due Diligence Investigation.	AC / WP/JI	Uber In-House Counsel	Attachment to Investigation Report. Memorandum prepared as part of investigation conducted at direction of counsel for Uber for purposes of providing legal advice to Uber, in anticipation of litigation, re: due diligence in connection with potential acquisition of Ottomotto.	[same as Index No. 1]
7*	Stroz Friedberg, LLC	Morrison & Foerster LLP (outside counsel for Uber) O'Melveny & Myers LLP (outside counsel for Otto) Donahue Fitzgerald LLP (outside counsel for Levandowski) Levine & Baker LLP (outside counsel for Lior Ron)	August 5, 2016	Report generated during Due Diligence Investigation summarizing analysis of electronic media collected from A. Levandowski.	WP/JI	Uber In-House Counsel	Attachment to Investigation Report. Report of forensic analysis prepared as part of investigation conducted at direction of counsel for Uber for purposes of providing legal advice to Uber, in anticipation of litigation, re: due diligence in connection with potential acquisition of Ottomotto in anticipation of potential litigation.	[same as Index No. 1]
8*	Stroz Friedberg, LLC	Morrison & Foerster LLP (outside counsel for Uber) O'Melveny & Myers LLP (outside counsel for Otto) Donahue Fitzgerald LLP (outside counsel for Levandowski) Levine & Baker LLP (outside counsel for Lior Ron)	August 5, 2016	Report generated during Due Diligence Investigation summarizing analysis of electronic media collected from A. Levandowski.	WP/JI	Uber In-House Counsel	Attachment to Investigation Report. Report of forensic analysis prepared as part of investigation conducted at direction of counsel for Uber for purposes of providing legal advice to Uber, in anticipation of litigation, re: due diligence in connection with potential acquisition of Ottomotto in anticipation of potential litigation.	[same as Index No. 1]

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9*	Stroz Friedberg, LLC	Morrison & Foerster LLP (outside counsel for Uber) O'Melveny & Myers LLP (outside counsel for Otto) Donahue Fitzgerald LLP (outside counsel for Levandowski) Levine & Baker LLP (outside counsel for Lior Ron)	August 5, 2016	Report generated during Due Diligence Investigation summarizing analysis of electronic media collected from A. Levandowski.	WP/JI	Uber In-House Counsel	Attachment to Investigation Report. Report of forensic analysis prepared as part of investigation conducted at direction of counsel for Uber for purposes of providing legal advice to Uber, in anticipation of litigation, re: due diligence in connection with potential acquisition of Ottomotto in anticipation of potential litigation.	[same as Index No. 1]
10*	Stroz Friedberg, LLC	Morrison & Foerster LLP (outside counsel for Uber) O'Melveny & Myers LLP (outside counsel for Otto) Donahue Fitzgerald LLP (outside counsel for Levandowski) Levine & Baker LLP (outside counsel for Lior Ron)	August 5, 2016	Report generated during Due Diligence Investigation summarizing analysis of electronic media collected from A. Levandowski.	WP/JI	Uber In-House Counsel	Attachment to Investigation Report. Report of forensic analysis prepared as part of investigation conducted at direction of counsel for Uber for purposes of providing legal advice to Uber, in anticipation of litigation, re: due diligence in connection with potential acquisition of Ottomotto in anticipation of potential litigation.	[same as Index No. 1]
11	Stroz Friedberg, LLC	Morrison & Foerster LLP (outside counsel for Uber) O'Melveny & Myers LLP (outside counsel for Otto) Donahue Fitzgerald LLP (outside counsel for Levandowski) Levine & Baker LLP (outside counsel for Lior Ron)	July 28, 2016	Memorandum regarding investigation methodology for Due Diligence Investigation.	AC / WP/JI	Uber In-House Counsel	Attachment to Investigation Report. Memorandum prepared as part of investigation conducted at direction of counsel for Uber for purposes of providing legal advice to Uber, in anticipation of litigation, re: due diligence in connection with potential acquisition of Ottomotto.	[same as Index No. 1]

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12	Stroz Friedberg, LLC	Morrison & Foerster LLP (outside counsel for Uber) O'Melveny & Myers LLP (outside counsel for Otto) Donahue Fitzgerald LLP (outside counsel for Levandowski) Levine & Baker LLP (outside counsel for Lior Ron)	August 2, 2016	Memorandum regarding analysis of information ascertained from potential witnesses during Due Diligence Investigation.	WP/JI	Uber In-House Counsel	Attachment to Investigation Report. Memorandum containing the mental impressions, conclusions, and opinions of the author prepared as part of investigation conducted at direction of counsel for Uber for purposes of providing legal advice to Uber, in anticipation of litigation, re: due diligence in connection with potential acquisition of Ottomotto in anticipation of potential litigation.	[same as Index No. 1]
13**	Stroz Friedberg, LLC	Morrison & Foerster LLP (outside counsel for Uber) O'Melveny & Myers LLP (outside counsel for Otto) Donahue Fitzgerald LLP (outside counsel for Levandowski) Levine & Baker LLP (outside counsel for Lior Ron)	August 5, 2016	File collected from A. Levandowski and obtained by Stroz Friedberg, LLC during Due Diligence Investigation and appended to Investigation Report.	WP/JI	Uber In-House Counsel	Attachment to investigation report prepared at direction of counsel for Uber for purposes of providing legal advice to Uber, in anticipation of litigation, re: due diligence in connection with potential acquisition of Ottomotto. Selection of document for inclusion in report reflects thought process of investigators retained to perform investigation.	[same as Index No. 1]

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14**	Stroz Friedberg, LLC	Morrison & Foerster LLP (outside counsel for Uber) O'Melveny & Myers LLP (outside counsel for Otto) Donahue Fitzgerald LLP (outside counsel for Levandowski) Levine & Baker LLP (outside counsel for Lior Ron)	August 5, 2016	File collected from A. Levandowski and obtained by Stroz Friedberg, LLC during Due Diligence Investigation and appended to Investigation Report.	WP/JI	Uber In-House Counsel	Attachment to investigation report prepared at direction of counsel for Uber for purposes of providing legal advice to Uber, in anticipation of litigation, re: due diligence in connection with potential acquisition of Ottomotto. Selection of document for inclusion in report reflects thought process of investigators retained to perform investigation.	[same as Index No. 1]
15**	Stroz Friedberg, LLC	Morrison & Foerster LLP (outside counsel for Uber) O'Melveny & Myers LLP (outside counsel for Otto) Donahue Fitzgerald LLP (outside counsel for Levandowski) Levine & Baker LLP (outside counsel for Lior Ron)	August 5, 2016	Communications collected from A. Levandowski and obtained by Stroz Friedberg, LLC during Due Diligence Investigation and appended to Investigation Report.	WP/JI	Uber In-House Counsel	Attachment to investigation report prepared at direction of counsel for Uber for purposes of providing legal advice to Uber, in anticipation of litigation, re: due diligence in connection with potential acquisition of Ottomotto. Selection of documents for inclusion in report reflects thought process of investigators retained to perform investigation.	[same as Index No. 1]
16**	Stroz Friedberg, LLC	Morrison & Foerster LLP (outside counsel for Uber) O'Melveny & Myers LLP (outside counsel for Otto) Donahue Fitzgerald LLP (outside counsel for Levandowski) Levine & Baker LLP (outside counsel for Lior Ron)	August 5, 2016	File collected from A. Levandowski and obtained by Stroz Friedberg, LLC during Stroz Investigation and appended to Investigation Report.	WP/JI	Uber In-House Counsel	Attachment to investigation report prepared at direction of counsel for Uber for purposes of providing legal advice to Uber, in anticipation of litigation, re: due diligence in connection with potential acquisition of Ottomotto. Selection of document for inclusion in report reflects thought process of investigators retained to perform investigation.	[same as Index No. 1]

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17*	Stroz Friedberg, LLC	Morrison & Foerster LLP (outside counsel for Uber) O'Melveny & Myers LLP (outside counsel for Otto) Donahue Fitzgerald LLP (outside counsel for Levandowski) Levine & Baker LLP (outside counsel for Lior Ron)	August 5, 2016	Report generated during Due Diligence Investigation summarizing analysis of electronic media collected from A. Levandowski.	WP/JI	Uber In-House Counsel	Attachment to Investigation Report. Report of forensic analysis prepared as part of investigation conducted at direction of counsel for Uber for purposes of providing legal advice to Uber, in anticipation of litigation, re: due diligence in connection with potential acquisition of Ottomotto in anticipation of potential litigation.	[same as Index No. 1]
18**	Stroz Friedberg, LLC	Morrison & Foerster LLP (outside counsel for Uber) O'Melveny & Myers LLP (outside counsel for Otto) Donahue Fitzgerald LLP (outside counsel for Levandowski) Levine & Baker LLP (outside counsel for Lior Ron)	August 5, 2016	Communications collected from A. Levandowski and obtained by Stroz Friedberg, LLC during Due Diligence Investigation and appended to Investigation Report.	WP/JI	Uber In-House Counsel	Attachment to investigation report prepared at direction of counsel for Uber for purposes of providing legal advice to Uber, in anticipation of litigation, re: due diligence in connection with potential acquisition of Ottomotto. Selection of documents for inclusion in report reflects thought process of investigators retained to perform investigation.	[same as Index No. 1]
19**	Stroz Friedberg, LLC	Morrison & Foerster LLP (outside counsel for Uber) O'Melveny & Myers LLP (outside counsel for Otto) Donahue Fitzgerald LLP (outside counsel for Levandowski) Levine & Baker LLP (outside counsel for Lior Ron)	August 5, 2016	Files collected from A. Levandowski and obtained by Stroz Friedberg, LLC during Due Diligence Investigation and appended to Investigation Report.	WP/JI	Uber In-House Counsel	Attachment to investigation report prepared at direction of counsel for Uber for purposes of providing legal advice to Uber, in anticipation of litigation, re: due diligence in connection with potential acquisition of Ottomotto. Selection of documents for inclusion in report reflects thought process of investigators retained to perform investigation.	[same as Index No. 1]

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21**	Stroz Friedberg, LLC	Morrison & Foerster LLP (outside counsel for Uber) O'Melveny & Myers LLP (outside counsel for Otto) Donahue Fitzgerald LLP (outside counsel for Levandowski) Levine & Baker LLP (outside counsel for Lior Ron)	August 5, 2016	File collected from A. Levandowski and obtained by Stroz Friedberg, LLC during Due Diligence Investigation and appended to Investigation Report.	WP/JI	Uber In-House Counsel	Attachment to investigation report prepared at direction of counsel for Uber for purposes of providing legal advice to Uber, in anticipation of litigation, re: due diligence in connection with potential acquisition of Ottomotto. Selection of document for inclusion in report reflects thought process of investigators retained to perform investigation.	[same as Index No. 1]
22**	Stroz Friedberg, LLC	Morrison & Foerster LLP (outside counsel for Uber) O'Melveny & Myers LLP (outside counsel for Otto) Donahue Fitzgerald LLP (outside counsel for Levandowski) Levine & Baker LLP (outside counsel for Lior Ron)	August 5, 2016	Files collected from A. Levandowski and obtained by Stroz Friedberg, LLC during Due Diligence Investigation and appended to Investigation Report.	WP/JI	Uber In-House Counsel	Attachment to investigation report prepared at direction of counsel for Uber for purposes of providing legal advice to Uber, in anticipation of litigation, re: due diligence in connection with potential acquisition of Ottomotto. Selection of documents for inclusion in report reflects thought process of investigators retained to perform investigation.	[same as Index No. 1]

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24**	Stroz Friedberg, LLC	Morrison & Foerster LLP (outside counsel for Uber) O'Melveny & Myers LLP (outside counsel for Otto) Donahue Fitzgerald LLP (outside counsel for Levandowski) Levine & Baker LLP (outside counsel for Lior Ron)	August 5, 2016	Files collected from A. Levandowski and obtained by Stroz Friedberg during Due Diligence Investigation and appended to Investigation Report.	WP/JI	Uber In-House Counsel	Attachment to investigation report prepared at direction of counsel for Uber for purposes of providing legal advice to Uber, in anticipation of litigation, re: due diligence in connection with potential acquisition of Ottomotto. Selection of documents for inclusion in report reflects thought process of investigators retained to perform investigation.	[same as Index No. 1]

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26**	Stroz Friedberg, LLC	Morrison & Foerster LLP (outside counsel for Uber) O'Melveny & Myers LLP (outside counsel for Otto) Donahue Fitzgerald LLP (outside counsel for Levandowski) Levine & Baker LLP (outside counsel for Lior Ron)	August 5, 2016	Files collected from A. Levandowski and obtained by Stroz Friedberg, LLC during Due Diligence Investigation and appended to Investigation Report.	WP/JI	Uber In-House Counsel	Attachment to investigation report prepared at direction of counsel for Uber for purposes of providing legal advice to Uber, in anticipation of litigation, re: due diligence in connection with potential acquisition of Ottomotto. Selection of documents for inclusion in report reflects thought process of investigators retained to perform investigation.	[same as Index No. 1]

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Hanley Chew	Elizabeth Balassone
Eric Friedberg	Shouvik Biswas
Mary Fulginiti	Elizabeth Crandall-Whittom
Melanie Maugeri	Sarah Davis
Mitchell Dobi	Derek Foran
Cristina Antalik	Teresa MacLean
Jessica Madore	Colette Reiner Mayer
	Frances Sagapolu
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	Ethel Villegas
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Justin Suhr, Esq.	Paul Sieben
Robert Wu, Esq.	
Salle Yoo, Esq.	
<b>Ottomotto LLC</b>	<b>Donahue Fitzgerald LLP</b>
Adam Bentley, Esq.	John F. Gardner
Anthony Levandowski	Branden Clary
Lior Ron	
	<b>Levine &amp; Baker LLP</b>
	Alisa J. Baker

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